

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 960 of 2015
[Balaji Isa Bore Vs. State of Mah.]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. N.R. Bhishikar, Adv., for the Applicant.
Mr. Dhumale, APP for respondent.

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CORAM : A. B. CHAUDHARI, J.

DATE : 29th January, 2016

Heard learned counsel for the rival parties.

It is not in dispute that the prosecutrix was major on the date of the incident and she was in physical relationship with the applicant for over a period of time. In the result, she became pregnant. Consequently, the applicant gave her medicines, which resulted into abortion.

The applicant was arrested on 30th July, 2015, and is in jail. His further detention is not necessary. But then care will have to be taken to protect the interest of

the prosecution. Learned counsel for the applicant states that the applicant would not enter Sironcha Taluka till the trial is over and would not apply for modification of this condition. The statement is accepted, and on that statement, bail is granted. Hence the following order:-

ORDER

- [a]** Criminal Application [BA] No. 960 of 2015 is allowed.
- [b]** Applicant shall be released on bail upon furnishing a Personal Bond in a sum of Rs. 20,000/- [rupees twenty thousand only] with one surety in the like amount in Crime No. 38/15 registered with Police Station, Sironcha, Distt. Gadchiroli, for offences punishable under Sections 376 (1), 313, 315, 328 and 342 read with Section 34 of Indian Penal Code, and read with Sections 33 and 36 of the Maharashtra Medical Practitioners Act.
- [c]** The applicant shall not enter the limits of Sironcha Taluka, Distt. Gadchiroli till the trial is over.
- [d]** This order shall be informed to the family members of the prosecutrix.

- [d]** Applicant shall inform the concerned Police Station where he would reside. The police shall keep surveillance on the applicant.
- [e]** The applicant shall not threaten, pressurize or influence the prosecution witnesses or tamper with the prosecution evidence. Any such act on the part of the applicant shall lead to recall of this order.
- [f]** This order shall also be informed to the Chief Executive Officer, Zilla Parishad, Gadchiroli, for taking further action against the applicant.

Judge